

EXHIBIT 20

Hunters Capital, LLC v. City of Seattle

Joey Furuto

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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUNTERS CAPITAL, LLC, et al.,)
Plaintiffs,)
))
v.) Case No. 20-cv-00983-TSZ
))
CITY OF SEATTLE,)
))
Defendant.)

VIDEOCONFERENCE VIDEOTAPED DEPOSITION UPON ORAL
EXAMINATION
OF
JOEY FURUTO

(All participants appearing via Zoom videoconference.)

Taken at
Seattle, Washington

DATE TAKEN: March 18, 2022
REPORTED BY: KATHLEEN HAMILTON, RPR, CRR, CCR 1917

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1 Go ahead.

2 THE WITNESS: So Parks had always had two
 3 SaniCans on site. They had been on site since January
 4 because the locking mechanisms were broken on the doors
 5 to the comfort stations. And so we've always had two on
 6 site. And even prior to CHOP and CHAZ, we were asked to
 7 provide additional cans because of the -- you know, the
 8 protests that were happening leading up to June 8th.
 9 And we did not provide those SaniCans.

10 BY MR. WEAVER:

11 Q. Okay. Were there ever additional SaniCans
 12 provided within the balance of Cal Anderson Park in June
 13 of 2020?

14 MR. CRAMER: Objection. Form.

15 Go ahead.

16 THE WITNESS: Yes, there were. There were
 17 ten SaniCans that were delivered. They were not inside
 18 the park. They were on 11th.

19 BY MR. WEAVER:

20 Q. Were they at 11th and Olive?

21 A. Yes.

22 Q. Do you recall being asked to have them in the
 23 park?

24 A. Yes.

25 Q. And why did they not end up in the park?

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1 facilities, that not being in the park. So we were very
 2 worried about the surrounding community.

3 BY MR. WEAVER:

4 Q. What were your concerns for the surrounding
 5 community with regard to the SaniCans? How are those
 6 related? I'm trying to sort that out.

7 A. I think the SaniCans were provided -- this is my
 8 thoughts. My -- that the SaniCans were provided to
 9 prevent people from using the restroom throughout the
 10 entire neighborhood. They were prevented from -- you
 11 know, we didn't want people to use the restroom on top
 12 of the lid. I mean, we're looking at some
 13 infrastructure that could be contaminated and so that's
 14 why SaniCans were provided.

15 Q. So you were worried about -- Parks was worried
 16 about people urinating or defecating on the reservoir
 17 lid; is that fair?

18 MR. CRAMER: Objection. Form. Foundation.

19 THE WITNESS: Yes. Not just the Parks, but,
 20 like, again, the surrounding neighborhood as well too.

21 BY MR. WEAVER:

22 Q. Did you ever ask or did you ever -- did you ever
 23 hear what the rationale was for providing the SaniCans?

24 A. To my knowledge, what I just shared was the
 25 rationale for why they were provided.

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1 A. Because we didn't have the location for them to
 2 go. SaniCans need to be serviced by a large pump --
 3 pump truck, and the pump truck wouldn't fit anywhere
 4 within the confines of Cal Anderson.

5 Q. Did you have other concerns about why there
 6 should not be SaniCans within the -- within the -- the
 7 Cal Anderson Park?

8 A. There was always the -- you know, my team cleans
 9 restrooms for a living, and so we are always -- you
 10 know, we always find fecal matter outside. So if we
 11 lock a bathroom door in any of our parks, a lot of times
 12 we end up with somebody using the bathroom right
 13 outside. And that is always a high level of concern for
 14 us that if we aren't providing an open restroom, we are
 15 inviting people to use the facilities outside. And so
 16 that's always our big concern.

17 Q. Were you concerned that it would create a bigger
 18 mess within Cal Anderson if you had Porta Potties inside
 19 the park?

20 MR. CRAMER: Objection. Form.

21 You can answer.

22 THE WITNESS: Yes, but I think our bigger
 23 concern was also the neighborhood. Because the park is
 24 a wide-open space, people most often like privacy and
 25 will find the nearest nook or cranny to use the

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1 Q. Okay. Did you hear that from somebody or are
 2 you just guessing that that was the reason?

3 A. No, that's the reason why they were provided, to
 4 my knowledge.

5 Q. Okay. What's the basis for that knowledge?

6 A. Because exactly what I was sharing. Like, we
 7 didn't want people to use the restroom in people's yards
 8 and in the park.

9 Q. Sure. And I'm asking whether -- did somebody
 10 tell you that?

11 A. No, that's -- that would have -- that's my
 12 concern.

13 Q. Okay. All right.

14 Did you ever personally have a concern that --
 15 that providing a large number of SaniCans at 11th and
 16 Olive would allow people to stay at the park longer than
 17 they would otherwise?

18 A. Yes, I was concerned with the SaniCans inside
 19 the park, not the SaniCans outside of the park. My --
 20 my concern was the SaniCans being inside and that being
 21 problematic.

22 Q. Was -- was your concern partially that it would
 23 encourage people to stay in the area in larger numbers
 24 than they would otherwise if the SaniCans weren't there?

25 A. It was a -- it was a -- a small concern. And I

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<p>1 event center in -- in mid and late June of 2020?</p> <p>2 A. Can you repeat the question?</p> <p>3 Q. Yeah, I'll repeat it. (Laughter.) I'll reward</p> <p>4 it.</p> <p>5 So do you remember whether they -- whether the</p> <p>6 people who were around that area, the gardeners, anybody</p> <p>7 living in the area or who may have had event tents up</p> <p>8 near that space, were using the hose bibs for water</p> <p>9 for -- for their operations or living conditions in the</p> <p>10 last couple weeks of June 2020?</p> <p>11 MR. CRAMER: Objection. Form.</p> <p>12 You can answer if you understood.</p> <p>13 THE WITNESS: I don't know if I fully</p> <p>14 understood the question. I know that people were using</p> <p>15 the water source onsite for multiple things, so...</p> <p>16 BY MR. WEAVER:</p> <p>17 Q. Okay. What were they using it for?</p> <p>18 A. To drink, I'm assuming, as well as for watering</p> <p>19 their plants. I know that they established rain barrels</p> <p>20 at some point, but they were filling the rain barrels,</p> <p>21 to my knowledge, with our hose bibs.</p> <p>22 Q. Okay.</p> <p>23 A. At some point I know they also had a water truck</p> <p>24 coming in to fill up the rain barrels as well too.</p> <p>25 Q. Okay. Well, the first email in this chain is</p>	<p>1 water off.</p> <p>2 Q. What do you recall about that?</p> <p>3 (Inaudible due to crosstalk.)</p> <p>4 BY MR. WEAVER:</p> <p>5 Q. What do you recall about that discussion?</p> <p>6 A. I remember one of the discussion points were if</p> <p>7 water was turned off to the entire park, what would that</p> <p>8 do for the restrooms.</p> <p>9 Now, the restrooms were closed, but there had</p> <p>10 been breaches and people still using them. So there</p> <p>11 was -- there was still water flow to that. And if we</p> <p>12 turned off the water flow, would that affect the</p> <p>13 hydrants in the area, and other life safety reasons to</p> <p>14 keep water.</p> <p>15 Q. What do you recall about, if you knew, what the</p> <p>16 reasoning was or the thought process was behind why you</p> <p>17 would turn off the water?</p> <p>18 MR. CRAMER: Objection. Form.</p> <p>19 THE WITNESS: Yeah, I don't know much more</p> <p>20 than what I just said. Like, I -- I don't remember -- I</p> <p>21 was not a decision maker in -- in getting water to be</p> <p>22 shut off. I might have proposed an idea. I don't</p> <p>23 remember. But I was not part of that decision-making</p> <p>24 process as to when or why.</p> <p>25 BY MR. WEAVER:</p>
<p>1 from somebody from Fox News asking about whether the</p> <p>2 protesters have been negotiating with the Parks</p> <p>3 Department to let them hook up water to irrigate the --</p> <p>4 the gardens. Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. So the Parks -- did the Parks Department</p> <p>7 negotiate with the protesters over the use of water for</p> <p>8 the gardens?</p> <p>9 A. Not to my knowledge. I do not remember</p> <p>10 negotiating anything on that level with them.</p> <p>11 Q. But you were aware that they were using the</p> <p>12 water for irrigation; is that correct?</p> <p>13 MR. CRAMER: Objection. Form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. WEAVER:</p> <p>16 Q. Was there any attempt in June, in the last</p> <p>17 couple weeks of June 2020, to your knowledge, to get</p> <p>18 them to stop using the irrigation?</p> <p>19 A. I don't recall. I don't remember.</p> <p>20 Q. Do you recall whether the water was shut off for</p> <p>21 some period of time to Cal Anderson on or about June</p> <p>22 22nd of 2020?</p> <p>23 A. What was the date you just mentioned?</p> <p>24 Q. June 22nd.</p> <p>25 A. I recall there being a discussion to shut the</p>	<p>1 Q. So did you propose that idea to somebody?</p> <p>2 A. I don't remember.</p> <p>3 Q. Okay. Did you ever talk to Casey Sixkiller</p> <p>4 about turning off the water at Cal Anderson Park?</p> <p>5 A. I don't remember.</p> <p>6 Q. So I'd like you to scroll up to your email from</p> <p>7 June 15th of 2020. At 11 -- 11:11 a.m. Because I guess</p> <p>8 there's two of them. But at 11:11 a.m. you wrote, "I'm</p> <p>9 working with the gardening group here. We are not</p> <p>10 offering up any water for irrigation purposes. They</p> <p>11 recently installed rain barrels for irrigation." Do you</p> <p>12 see that?</p> <p>13 A. Yes.</p> <p>14 Q. Was it correct that you were not offering up</p> <p>15 water for irrigation purposes?</p> <p>16 A. That is correct.</p> <p>17 Q. But you were allowing it to be used for</p> <p>18 irrigation purposes -- is that correct? -- on June 15th?</p> <p>19 A. I don't know that using the word "allowing" them</p> <p>20 is accurate. It was something that was going to be done</p> <p>21 and I had little control over that.</p> <p>22 Q. Okay. You weren't offering it up, but you knew</p> <p>23 they either were or were going to use it; is that right?</p> <p>24 A. Correct.</p> <p>25 Q. And, in fact, they were using that -- they were</p>

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1 C E R T I F I C A T E
2

3 STATE OF WASHINGTON
4 COUNTY OF KING

5
6 I, Kathleen Hamilton, a Certified Shorthand
7 Reporter and Notary Public in and for the State of
8 Washington, do hereby certify that the foregoing
9 transcript of the deposition of JOEY FURUTO, having been
10 duly sworn, on MARCH 18, 2022, is true and accurate to
11 the best of my knowledge, skill and ability.

12 IN WITNESS WHEREOF, I have hereunto set my hand
13 and seal this 29TH day of MARCH, 2022.



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KATHLEEN HAMILTON, RPR, CRR, CCR #1917